

TOWN BOARD WORK SESSION

APRIL 28, 2015

The Town Board of the Town of Conklin held a Work Session at 5:30 P.M. on April 28, 2015, at the Conklin Town Hall. Mr. James E. Finch, Supervisor, presided. The work session opened with the Pledge of Allegiance.

PRESENT: Town Board Members Bullock, Boyle, Dumian, Francisco, Finch
Town Counsel Cheryl Sacco
Assistant to Supervisor Lisa Houston
Deputy Town Clerk Elizabeth Einstein
Highway Superintendent Brian Coddington
Town Justice J. Marshall Ayres
Public Works Superintendent Tom DeLamarter

GUESTS: Laurie Francisco
Judy Kelley
Tom Kelley
John Colley
William Osborne

CODE ENFORCEMENT OFFICE

Supervisor Finch reported he had authorized a used desk be moved into the Code Office and set up with a telephone for John Rudy to use while he is doing the fire inspections. Once he has completed his work, the desk and second phone will make the office more efficient for Ron Lake and Mary Plonski. The Supervisor asked the Board about questions or comments. Board members thought it was a good idea and liked the idea of the used desk instead of purchasing a new one.

HOBART STONE RUNOFF

Supervisor Finch said he had a meeting during the week with Hobart Stone about the dirty road, Julius Rogers Park, and the dumping. Hobart went through his records and was able to find a dumping permit issued by Town of Conklin Code Enforcement Officer Michael Dopko in 2002. However, Mr. Hobart could not produce a dumping permit from the DEC. The Supervisor said Mr. Hobart did say he is going to clean up the road and clean up the park.

Public Works Superintendent Tom DeLamarter expressed frustration saying the problem is ongoing, every year. The spring sports season has begun and the fields at the Julius Rogers Park are unusable. Mr. Finch commented that the reason they could not be used is because they are wet. Mr. DeLamarter said the fields are wet because they are covered with a chalky-white, runoff substance from Hobart Stone.

Town Counsel Cheryl Sacco said the Town Board could revisit the situation because the dumping permit was issued so long ago. She suggested the Code Enforcement Officer look at a copy of the permit, use his discretion to do what is necessary, consider sending Hobart Stone a revised permit or even potentially revoke the 2002 permit.

Mr. DeLamarter said the condition at Julius Rogers Park is the worst it has ever been. Councilman Bullock asked where the run-off was in the park. Mr. DeLamarter replied the runoff is all over the ball fields, the basketball court, and even on the tennis courts. He said now it is running past the basketball court and into the road. Mr. Bullock commented that he has seen dust there all day and it must be hard to live in that neighborhood. He, too, was frustrated that this problem is ongoing.

Mr. Finch said Code Enforcement Officer Ron Lake has been working with Mr. Hobart who said he is going to put in a drainage basin.

WORK SESSION
APRIL 28, 2015

Counsel advised that according to Town Code #72-8 the Code Enforcement Officer has the ability to issue a Stop Work Order. She again suggested the matter be given to the Code Enforcement Officer. Mr. Finch said the DEC, out of Syracuse, had been contacted and never did a thing. Highway Superintendent Brian Coddington reminded the Board that the Town had also had some trouble with the Hobart Stone trucks hitting the Town's street signs.

Councilman Bill Dumian said he had heard Mr. Hobart talking to Mr. Finch about a mining permit and reclamation, and asked what was being planned. Mr. Finch replied that Mr. Hobart was going to find permits from the DEC and the Army Corp of Engineers but had been unable to produce them. Councilman Chuck Francisco said that even if Mr. Hobart did put in the "D.I. pit," he would still need a place to dump the water/sludge run-off. Supervisor Finch replied that Hobart Stone has been dumping it and is lucky that the slurry is not going into the river and affecting the City of Binghamton's water.

Councilman Bullock said he remembered a meeting with both of the Hobarts and that promises were made by the Hobarts but the issues are never resolved and as a result, "Every year we have the same situation."

BINGHAMTON-JOHNSON CITY JOINT SEWAGE TREATMENT BOARD

Mr. Finch brought up the financial issue the Town has with the Binghamton-Johnson City Joint Sewage Treatment Board and handed out a rate sheet for outside users that he had recently received. He said the rates on the sheet have nothing to do with the meeting the Town recently had with the Sewage Board. Mr. Finch said Conklin's rate is the highest being charged. "We are one to two times higher than everyone else."

BINGHAMTON JOHNSON CITY JOINT SEWAGE TREATMENT PLANT
FINAL BILLING AMOUNTS – COST PER 100 CUBIC FEET

	<u>2011</u>	<u>2012</u>	<u>2013</u>
City of Binghamton	3.92446	4.14054	2.70798
State U	3.92446	4.14054	2.70798
Town of Vestal			
Bing	3.92446	4.14054	2.70798
JC	3.68512	4.11050	2.34777
Town of Binghamton	4.10686	4.32894	2.88694
Town of Dickinson			
Bing	4.10686	4.32894	2.88395
JC	3.68512	4.29890	2.52374
Village of Port Dickinson	4.10686	4.32894	2.88395
Town of Kirkwood	4.10686	4.32894	2.88395
Town of Fenton	4.10686	4.32894	2.88395
Town of Conklin	4.30686	4.52894	3.08395
Village of JC	3.68512	4.11050	2.34777
Town of Union	3.86752	4.29890	2.52374

WORK SESSION
APRIL 28, 2015

Mr. Finch explained that the Joint Sewage Treatment Plant Board has \$14 million (which the outside users have been charged) held in reserve. Mr. Finch said, "They are getting a lot of heat about a new sewage treatment plant and what is going on and the County is trying do to some things there and make it right for everybody." He continued saying, "We are trying to get it confirmed that they took \$10 million out to pay back sewer bills for Johnson City and the City of Binghamton. The two municipalities have not been paying any sewer bills since 2010."

Mr. Finch said that the Sewage Board wants to try to bond another \$175 million and they want the outside users to pay for it by raising the outside user rate by 25 percent. "If they do that, the Town of Conklin might better go back to septic tanks," said Mr. Finch. The Supervisor sees the whole thing as a mess and said Attorney Alan Pope will set up another meeting to see how all the other towns are going to act on this.

Mr. Finch said there was a silver lining for Conklin that the other outside users do not have. "The unique thing that we have out here is a seven-year period that the Town was able to get the Sewage Board to agree to last year. If we decide to build our own sewage treatment plant, we are not obligated to them. All the other towns are locked in until 2047 to pay for the bonds—we have an option to get out."

**RESCIND RESOLUTION FOR SIX MONTH EXTENSION TO COMPLETE
DEMOLITION/FLOOD BUYOUT PROPERTIES**

Mr. Finch gave an update on the FEMA buyout saying everything will be completed by June 30, 2015, and there is no need for an Extension with FEMA:

Slater property	Closing was held on April 28, 2015;
Eve Collins	Passed away leaving no heirs and the property is withdrawn;
Whalens	Have withdrawn from the buyout program;
6 June Street	Eggleston property closing is set for April 29, 2015;
9 Clearview	Has an issue with one strip of property, but will be able to close;
11 Barbara Ave	May withdraw from the program;
772 Conklin Road	Closed April 27, 2015;
9 Cherry Drive, Tompkins	Closing scheduled for May 5, 2015

Town Counsel Cheryl Sacco suggested the Board consider a resolution approving the Town Code Fee Schedule. Attorney Sacco said that while some fees may be set by resolution, others require a local law and explained the process.

CASTLE CLEAN UP AND REPAIRS

Mr. Finch said the cleanup work has been completed in the Castle and he is just waiting for the test results to come back. The carpets throughout the building were removed. The Supervisor said no contamination was found in the carpets. Tom DeLamarter is gathering bids for sanding and refinishing the stairs and the floors on the second level of the Castle so the committee can meet and decide what should be done.

Mr. Finch said it looks like the cost will be somewhere around \$4,000 to sand the floors and apply three coats of the finishing product. Mr. DeLamarter said the main floor of the Castle is still covered with linoleum but there are hardwood floors under the linoleum.

CleanTec will be submitting a bid on scraping and painting the Castle. Lead paint is involved making this a specialized process.

INSURANCE CLAIM

Councilman Bullock asked about the insurance claim to cover the costs of mold remediation in the Castle under the 2011 flood damage. Mr. Bullock said the water in the basement was crystal clear, up about a foot, and receded naturally. Mr. Bullock said the mold has probably been

WORK SESSION
APRIL 28, 2015

going on forever and ever. It is a consistent thing to be looked at. You can't blame just the flood or whoever was taking care of it before. Mr. Finch explained they have to show what the money received after the flood was spent on. Assistant to the Superintendent Lisa Houston said that the funds were spent on repairs to furnaces and blower motors.

ACCOUNT CLERK SALARY INCREASE

Mr. Finch said the anniversary date for Account Clerk Mary Plonski would be in June. He asked the Board if they wanted to increase her rate of pay for the job she is doing. Mr. Boyle said he thought she was doing a great job and Mr. Finch said she is doing a phenomenal job. Mr. Finch said Ron Lake is willing to cut his hours down because Mary can do the work. Mr. Boyle said between Ron Lake and Mary, the Code office is more organized than ever before. The Board decided to discuss the issue as a personnel matter in executive session.

SEWAGE TREATMENT

Councilman Bill Dumian asked to revisit the sewage treatment issue asking Mr. Finch about Hallstead. Mr. Finch said Hallstead approached Conklin asking if the Town was interested in connecting into their plant. Mr. Dumian asked, "But can we do that?"

Mr. Finch replied that costs would be a concern because it would be necessary to run a pipe under the river again and then from Riverside to the rest area on Route 11 where Hallstead is going to extend their pipeline to. There was also discussion of joining Kirkwood and sending effluence to Windsor's wastewater treatment facility or using the funding from the Joint Sewage Treatment Plant outside users to build local treatment plants. Windsor is already accepting effluence from a section of Kirkwood. Finch said the outside users could also take the money and build their own plants.

Attorney Sacco said there are clean water and sewer grants available and the Town does have options. At the present time there are more questions than answers.

Mr. DeLamarter said, "We are taking a pounding right now in costs. We have 242 users-- that's nothing-- and we are paying \$50,000 a quarter. We are sending approximately 90,000 gallons per day and we are allowed 320,000 per day with another 100,000 on top of that for infiltration allowance. We have no infiltration per se." Mr. DeLamarter added, "We're getting killed."

There was more discussion on new development and the possibility of credits. Mr. Bullock asked if there was any explanation for the high charge that is being billed to Conklin. Mr. Finch replied that was because they put in the sewer line in 1998 initially for the IDA and the new corporate park. The Town Board at the time agreed to pay one and a half times the rate to be connected. In the end, the Board agreed the next step should be to discuss the issues with Ron Lake, who was the engineer for both Kirkwood and Windsor when the West Windsor Wastewater Treatment Plant was built, to see where lines run and if any connection was feasible.

As the time to open the Regular Town Board had arrived, Mr. Finch closed the Work Session and opened the Regular Town Board Meeting at 6:00 P.M.

Respectfully submitted,

Elizabeth Einstein
Deputy Town Clerk

REGULAR TOWN BOARD MEETING
APRIL 28, 2015

The Town Board of the Town of Conklin held a Regular Town Board Meeting at 6:00 P.M. on April 28, 2015, at the Conklin Town Hall. Mr. James E. Finch, Supervisor, presided.

PRESENT:	Town Board Members	Bullock, Boyle, Dumian, Francisco, Finch
	Town Counsel	Cheryl Sacco
	Assistant to Supervisor	Lisa Houston
	Deputy Town Clerk	Elizabeth Einstein
	Highway Superintendent	Brian Coddington
	Town Justice	J. Marshall Ayres
	Public Works Superintendent	Tom DeLamarter

GUESTS:	Laurie Francisco
	Judy Kelley
	Tom Kelley
	John Colley
	William Osborne

MINUTES: APRIL 14, 2015 REGULAR TOWN BOARD MEETING

Councilman William Dumian stated that the minutes for the April 14, 2015 Regular Town Board Meeting should be amended on page 5, line 14 from the top, to state that Mr. Bullock did not suggest that the furnaces in the Castle should be moved out of the basement and onto the first floor. It was stated by Mr. Dumian.

Supervisor Jim Finch said he did meet with Tri Cities Temperature Control and it was not feasible to raise the basement furnaces. The furnaces blow down instead of up and across, and the cost would be between \$7,000 and \$8,000. It would make more sense to wait until after another flood occurrence and put new furnaces upstairs and do it the correct way.

Councilman Chuck Francisco made the motion to approve the April 14, 2015 Regular Town Board Meeting Minutes as corrected.

Second by Councilman William Dumian.

VOTE: Bullock—Yes, Boyle—Yes, Dumian—Yes, Francisco-Yes, Finch-Yes. Motion passed unanimously.

CORRESPONDENCE:

Mr. Finch acknowledged receipt of correspondence from Mary Hayes of Haylor, Freyer & Coon addressing the attempt to collect financial assistance with the mold remediation project in the Castle as part of the flood claim from September 7, 2011.

Mr. Finch acknowledged receipt of correspondence from Delta Engineers, Architects, & Land Surveyors to Broome County's Commissioner of Public Works, Daniel A. Schofield, on Delta's Proposal to Provide Professional Engineering Services for: Establishment and Implementation of a Local Road Protection Program where Broome County is willing to pay the fees to Delta for the outlying towns to participate.

ROAD USE AGREEMENT

Counsel Cheryl Sacco asked the Board to wait to vote on the proposal until she has time to read it over. Ms. Sacco explained Delta Engineering wrote a local law and a local road use plan at a time when the concerns were fracking/natural gas exploration and damage to the roads. As part of the plan the County would pay for up to \$10,000 for each Town to participate in the road use agreement that would include land or road surveys or borings so the Towns would know what was in the roads. Coughlin & Gerhart reviewed the local law at that time and offered three options to its clients: Passing Delta's local law, passing a modified Windsor road use local law, or passing a resolution. The idea was to make the road use agreement uniform across the board.

REGULAR TOWN BOARD MEETING

APRIL 28, 2015

Ms. Sacco said she thought that the idea of a road use agreement had died and she did not know what the Town would get out of it at this point. She has some concerns about the material difference in the agreement and believes the Town is already protected under the highway law. Mr. Finch said the Town would be protected by requesting a bond from the road user. Mr. Dumian commented that he, too, thought the Board rejected the idea before because there was no real benefit for the Town of Conklin. Mr. Finch said the Board has until the end of May to make a decision and they will leave it up to Counsel.

PUBLIC COMMENTS:

None.

OLD BUSINESS:

TOWN CODE FEE SCHEDULE

Town Attorney Cheryl Sacco distributed a copy of the proposed resolution for a fee schedule. She explained that some fees may be set by resolution. She recommended the Board adopt those fees that evening and then begin the process for adopting the fees that must be set by local law and require a public hearing. She reminded the Board that anything that involves zoning requires a local law and said that basically the only things lacking tonight are permits or fees for a Manufactured (Mobile) Home Park, new and expanded—Code Enforcement Officer Ron Lake had only listed a temporary license filing fee, not the longer extended filing fee or the recertification. Sacco told the Board, “You may want to remove that and do it separately or table it completely. Also, there was no cost listed to recertify a telecommunications tower that has not been modified. You can make the modifications right now to remove the manufactured home park; Under Noise, to remove the special permit fee and the recertification fee; and remove the Telecommunications Facilities Recertification Tower Fee.”

Councilman Dell Boyle asked if the fee for political signs had been removed as per the discussion at the April 14 meeting. It was still listed. The Board agreed to modify the Resolution to reflect a zero fee charge for political signs.

RESO 2015- 66: APPROVE TOWN CODE FEE SCHEDULE

Mr. Dumian made a motion to adopt the following resolution, with the understanding that the political sign charge is being removed and the four fee charges that are blank on the proposed resolution are also being removed.

PRESENT: Supervisor James E. Finch
Councilman Gary D. Bullock
Councilman Charles Francisco
Councilman Dell Boyle
Councilman William Dumian, Jr.

ABSENT: _____

Offered By: Councilman William Dumian Jr. **Seconded by:** Councilman Charles Francisco
VOTE: Bullock—Yes; Boyle—Yes; Dumian—Yes; Francisco-Yes; Finch-Yes. Motion passed unanimously.

WHEREAS, The Town Board (hereinafter “Town board”) of the Town of Conklin (hereinafter “Town), duly convened in regular session, does hereby resolve as follows:

WHEREAS, the Conklin Town Board held a public meeting at the Conklin Town Hall, 1271 Conklin Road in said Town, on April 28, 2015, commencing at 6:05 P.M., and

WHEREAS, pursuant to the Town Code, the Town Board hereby sets the following fee schedule:

REGULAR TOWN BOARD MEETING

APRIL 28, 2015

Town Code §§73-10&16 Operating Permits (Fire Prevention and Building Construction).

Operating permits (hazard and assembly) \$25

Town Code §§73-7&16 Certificates of Occupancy (Fire Prevention and Building Construction)

Occupancy of classification use permit \$25/Year
Certificate of occupancy with permit NO FEE
Certificate of occupancy without permit – residential \$50/Dwelling Unit
Certificate of occupancy without permit – commercial \$100/Occupant
Temporary Certificates \$25

Town Code §73-16 Fees (Fire Prevention and Building Construction)

Residential 1 and 2 family \$10/SF
Residential additions/alterations \$10/SF
Accessory buildings greater than 144 sf \$25
Porch/deck 100 sf or less \$25
Porch/deck greater than 100 sf \$50
Wood stove/chimney \$25
Multiple dwellings \$10/SF
Demolition permit -- residential \$5
Demolition permit – commercial \$25
Manufactured (Mobile) home installation \$10/SF
Yearly Park fees \$200
Commercial construction \$15/SF
Manufactured (Mobile) home park new/expand \$ _____
Solar Panels – residential \$50
Solar Panels – commercial \$15/SF
Fire and building safety inspections \$1/100SF
Swimming pools \$25

Town Code §76-12 Establishment of Development Permit (Flood Damage Prevention)

Flood plain development permit \$200/Acre

Town Code §81-3 Regulations (Furnaces, Outdoor)

Outdoor furnace \$100

Town Code §§94-11&12 Noise

Temporary License Filing Fee \$500
Deposit \$5,000
Special Permit \$ _____
Recertification \$ _____

Town Code §100-5 Peddling and Soliciting

Fee \$100

Town Code §122-19 Application Fee (Telecommunications Facilities)

New Tower \$2,500
Collocate on existing Tower \$2,500
Recertify Tower \$ _____
Recertify modified Tower \$1,000

Town Code §140-112 Signs (Zoning)

Sign permit fee \$50/sign
Political signs \$1/sign

Town Code §140-152 Required Fees (Zoning)

Planning Board site plan review-reoccupancy \$35
Planning Board site plan review-new commercial \$100
Over 7500 SF \$200

REGULAR TOWN BOARD MEETING
APRIL 28, 2015

RESOLVED, that this resolution will take effect immediately.

CERTIFICATION

I, Sherrie L. Jacobs, do hereby certify that I am the Town Clerk of the Town of Conklin and that the foregoing constitutes a true, correct and complete copy of a resolution duly adopted by the Town Board of the Town of Conklin at a meeting thereof held at the Conklin Town Hall, 1271 Conklin Road, Conklin, New York, on April 28, 2015. Said resolution was adopted by the following roll call vote:

Supervisor James E. Finch	-	Yes
Councilman Gary D. Bullock	-	Yes
Councilman Charles Francisco	-	Yes
Councilman Dell Boyle	-	Yes
Councilman William Dumian, Jr.	-	Yes

Town of Conklin Seal

Dated: _____

Sherrie L. Jacobs
Town Clerk of the Town of Conklin

RESO 2015 – 67: SCHEDULE PUBLIC HEARING/MAY 26, 2015/6:05 P.M./
PROPOSED LOCAL LAW NO. 2 OF THE YEAR 2015/
A LOCAL LAW AMENDING THE TOWN CODE TO PROVIDE FOR SPECIAL FEES

Mr. Bullock made the motion to schedule a Public Hearing at 6:05 P.M. on May 26, 2015, to receive input regarding proposed Local Law No. 2 of the year 2015: A Local Law Amending the Town Code to Provide For Special Fees.

Second by Councilman Charles Francisco.

VOTE: Bullock—Yes; Boyle—Yes; Dumian—Yes; Francisco-Yes; Finch-Yes. Motion passed unanimously.

PORPOSED TOWN OF CONKLIN
LOCAL LAW 2 OF THE YEAR 2015

A LOCAL LAW AMENDING THE TOWN CODE TO PROVIDE FOR SPECIAL FEES

Be it enacted by the Town Board of the Town of Conklin as follows:

Section 1. Purposes

The purpose of this local law is to amend the Town's existing local laws to regulate and must be balanced with the protection of the public health, welfare, safety, peace and tranquility of the residents of the Town of Conklin.

Section 2. The following Articles shall remain the same; except for the following changes:

A. §65-1. Burial outside of established cemeteries

Remain the same, and insert the following at the end of the Section:

This fee may vary as provided by resolution of the Town Board.

B. §72-6. Fill permit.

REGULAR TOWN BOARD MEETING
APRIL 28, 2015

Remain the same, and insert the following at the end of the Section:

There shall be a permit fee charged as permitted by resolution of the Town Board.

C. §111-13. Fees for services.

Remain the same, and insert the following at the end of the Section:

This amount may vary as permitted by resolution of the Town Board and there shall be a permit fee charged as permitted by resolution of the Town Board.

D. §115-7. Approval of preliminary plats.

Remain the same, and insert the following at the end of the Section B:

This fee may vary as provided by resolution of the Town Board.

E. Insert new article as follows:

Article XXIX
Fees

§140-163 Fees

Except as otherwise stated, administrative fees for this chapter shall be assessed as provided by resolution of the Town Board.

Section 3. Severability: If any clause, sentence, paragraph, section or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Section 4. Repealer: All Ordinances, Local laws and parts thereof inconsistent with this Local Law are hereby repealed

Section 5. Effective Date: This Local law shall take effect upon the filing with the Office of the Secretary of State in accordance with the applicable provisions of law.

NEW BUSINESS:

CONKLIN/KIRKWOOD SUMMER FUN PROGRAM

Mr. Finch said he would like to discuss the Conklin Kirkwood Summer Fun Program. Kirkwood had sent over a note saying they would like Conklin to put another person on as a counselor at the Donnelly Elementary School this summer. Mr. Finch said, "We pay for one, they want us to pay for a second one for \$500. They want to expand the program and they are expecting to have more children in the summer program."

RESO 2015-68: AUTHORIZE THE SUPERVISOR TO EXECUTE AN AMENDED
CONKLIN/KIRKWOOD SUMMER FUN CONTRACT TO REFLECT THE ADDITION
OF ONE ADDITIONAL COUNSELOR IN AN AMOUNT NOT TO EXCEED \$500
FOR THE 2015 SUMMER

Mr. Bullock made the motion.

REGULAR TOWN BOARD MEETING
APRIL 28, 2015

Seconded by Councilman Charles Francisco.

VOTE: Bullock—Yes; Boyle—Yes; Dumian—Yes; Francisco-Yes; Finch-Yes. Motion passed unanimously.

Assistant to the Supervisor Lisa Houston questioned the \$500 amount just approved by the Board saying the first counselor is paid \$595.

RESO 2015-69: AMEND CONKLIN-KIRKWOOD SUMMER FUN PROGRAM
CONTRACT

Mr. Dumian made the motion to replace the \$500 amount in the amended contract with the correct \$595.00 payment.

Seconded by Councilman Gary Bullock.

VOTE: Bullock—Yes; Boyle—Yes; Dumian—Yes; Francisco-Yes; Finch-Yes. Motion passed unanimously.

WASTEWATER TREATMENT SYSTEMS

Mr. Francisco said he had been thinking about the Sewer issue and about the Chesapeake Bay Authority having jurisdiction over what goes into the river. Whitney Pint put in a system five years ago and didn't have a problem with discharge and is located within Broome County. Mr. Finch replied that the laws have changed since then, especially involving phosphates. Attorney Sacco said that her firm had been involved with the wastewater facility in Whitney Point and in Windsor and would be able to assist the Town of Conklin but it is a very expensive undertaking. Mr. Francisco said he understood that connecting with someone else could be the best bet, but he didn't think the Board could absolutely rule out putting a treatment center here either. Mr. Bullock stated that if there is grant money available Conklin should be going after funding. Attorney Sacco said there are low interest loans that should be considered. She said that Windsor was able to get some grants but actually just refinanced to be in a better situation. She added there are pros and cons to this and it is very time consuming and very expensive. Mr. Finch said having the two trailer parks helps to have enough users who would want to connect. Mr. Finch reminded everyone that Conklin has received a \$37,000 grant to help with a study on the feasibility of building its own wastewater treatment plant with \$15,000 received already and he is working on getting the remainder of the grant.

RESO 2015-70: APPROVE ADVERTISING/COUNTRY COURIER
FOR LIFEGUARDS FOR THE 2015 SEASON.

Mr. Dumian made the motion to advertise in *The Country Courier* for Lifeguards for the 2015 season.

Seconded by Mr. Francisco

VOTE: Bullock—Yes; Boyle—Yes; Dumian—Yes; Francisco-Yes; Finch-Yes. Motion passed unanimously.

Mr. DeLamarter said the pool will open the second week of June 2015.

RESO 2015-71: ACCEPT THE NEW POSITION DUTY STATEMENT TITLE FOR
BUILDING INSPECTOR-PART TIME, CURRENTLY HELD BY JOHN RUDY

Broome County has notified the Town of Conklin that Mr. Rudy cannot be titled a Deputy Code Officer. Mr. Finch said this simply changes the job title. Mr. Rudy is still going to be part-time and will be done at the end of the 90 days.

Mr. Bullock made the motion that Mr. Rudy's title be Building Inspector-PT.

Seconded by Mr. Francisco.

REGULAR TOWN BOARD MEETING
APRIL 28, 2015

VOTE: Bullock—Yes; Boyle—Yes; Dumian—Yes; Francisco-Yes; Finch-Yes. Motion passed unanimously.

RESO 2015 -72: RESCIND RESO 2015-53 FILING FOR THE 2011 FLOOD BUYOUT
EXTENSION TO DECEMBER 31, 2015

Mr. Dumian made the motion to withdraw the request for an extension.

Seconded by Mr. Boyle.

VOTE: Bullock—Yes; Boyle—Yes; Dumian—Yes; Francisco-Yes; Finch-Yes. Motion passed unanimously.

RESO 2015-73: APPROVING REMOVING 780 CONKLIN ROAD, TAX ID# 162.09-1-22
FROM THE HAZARD MITIGATION PROJECT NUMBER 4020-0017
DUE TO THE DEATH OF THE OWNER; AND THE FAILURE OF ANY AND ALL
HEIRS AND CREDITORS TO PROCEED WITH SETTLEMENT OF THE ESTATE
AND THEIR FAILURE TO PROCEED WITH THE BUYOUT.
THE PROGRAM HAS A DEADLINE OF JUNE 30 2015, AND TIME DOES NOT
ALLOW ANY FURTHER PROCESS OF INCOMPLETE APPLICATIONS
TO BE PROCESSED IN A TIMELY MANNER.

Mr. Finch made the motion to remove 780 Conklin Road from the Hazard Mitigation Project Number 4020-0017 due to the death of the owner.

Seconded by Mr. Dumian.

VOTE: Bullock—Yes; Boyle—Yes; Dumian—Yes; Francisco-Yes; Finch-Yes. Motion passed unanimously.

RESO 2015-74: SET A DEADLINE OF A CLOSING BY MAY 15, 2015, FOR 11
BARBARA AVENUE OR SUCH PROPERTY SHALL BE WITHDRAWN FROM
THE HAZARD MITIGATION PROJECT # 4020-0017 BECAUSE OF DEADLINE TIME
CONSTRAINTS AFTER THAT DATE.

Motion was made by Mr. Bullock

Seconded by Mr. Francisco

VOTE: Bullock—Yes; Boyle—Yes; Dumian—Yes; Francisco-Yes; Finch-Yes. Motion passed unanimously.

RESO 2015-75: AUTHORIZE PAYMENT OF THE FOLLOWING BILL LIST IN THE
AMOUNT OF \$51,619.59:

Mr. Francisco moved to authorize payment of the following Bill List in the total amount of \$51,619.59:

General	\$14,553.16
Highway	939.31
2011 Flood Emergency	970.00
Light Districts	1,824.78
Sewer Dists	1,410.07
Water Dist.	2,304.27
Non-Budget	<u>29,618.00</u>
Total	<u>\$51,619.59</u>

Seconded by Mr. Dumian.

VOTE: Bullock—Yes; Boyle—Yes; Dumian—Yes; Francisco-Yes; Finch-Yes. Motion passed unanimously.

REGULAR TOWN BOARD MEETING
APRIL 28, 2015

PUBLIC COMMENTS:

None.

RISING COMMUNITY GRANT

Attorney Cheryl Sacco apologized for missing the last meeting. She said that while the Town Board did pass two resolutions and a certification with Attorney Mark Gorgos, who was filling in for her, one being the resolution on the Procedures and Policies for the Rising Community Grants, there was actually a blank within the Resolution that had to be filled in. Attorney Sacco said it is necessary to designate a purchasing agent or officer to be able to suspend procurement if there is a problem. She told the Board they also need to have a contact name for the person who is designated as an anti-displacement and relocation officer. The goal is not to displace residents and at the present time both she and the Board are unaware of any problems in this regard, but the Board did need to make the appointment.

At this point, Mr. Finch asked for confirmation that the Town Board had passed a resolution to notify Rising Community that Griffiths Engineering was approved for the Stillwater Stormwater Mitigation Project. The attorney said she would check into this and that part of what had to be done was a vetting process with Griffiths. Ms. Sacco said she would have to notify the other engineering firms that they were not chosen. Mr. Finch said that he agreed she was the person who should take care of that notification. The attorney asked the Board if they wished to give her the authority to do the vetting process for Griffiths Engineering. The Board also agreed that she should do this. No resolution was needed.

Returning to the Procedures and Policies amendment, Mr. Finch said that as long as he is working at the Town Hall most every day, he would be willing to be both the purchasing agent or other officer specifically to deal with procurement and the displacement and relocation officer.

RESO 2015-76: AMEND RESOLUTION 2015-65 TO SHOW THAT SUPERVISOR JAMES FINCH IS THE RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE OFFICER FOR THE CERTIFICATION. ALSO SUPERVISOR FINCH SHALL BE INDICATED TO BE INCLUDED ON THE RESOLUTION ADDRESSING THE PROCUREMENT POLICIES AS THE OFFICER OF SUBRECIPIENT WITH THE AUTHORITY THEREUNDER.

Mr. Boyle made the motion.

Seconded by Mr. Dumian.

VOTE: Bullock—Yes; Boyle—Yes; Dumian—Yes; Francisco-Yes; Finch-Abstain. Motion passed: 4 – Yes, 1 – Abstain.

CONKLIN FORKS ROAD

Councilman Boyle said that a resident on Conklin Forks Road had just called him saying how much everyone appreciated the speed reduction and the new speed limit signs posting the traffic speed at 45 mph.

VERIZON TRAILER

Mr. Francisco said the Verizon trailer on Terrace Drive is now gone. He had received an e-mail from Broome County Department of Public Works about the lights on the Holmes Crossing Bridge not working and was asked why the Town of Conklin hadn't taken care of it. He called the County and explained that the crossing is in the City of Binghamton and is also on a state highway. They said they would contact the state DPW. Mr. Francisco said while he had them on the phone, he talked to them about the Verizon trailer. He didn't get much help but the next day he saw a Verizon repairman on Terrace Drive and talked to him about how busy the road was as well as the truck traffic. The next day the trailer was gone. He also spoke to the County Highway Superintendent, Mr. Pat Latting, asking if he could put some pressure on Maines to fill in the bog

REGULAR TOWN BOARD MEETING

APRIL 28, 2015

that is carrying dirt and garbage all over the road. Mr. Francisco said laughingly that he has been labeled “the street light guy” and he has contacted NYSEG about the lights on the bridge.

GARBAGE ON JUNE STREET

Mr. Finch said there is a problem on June Street with the people living in the corner house putting garbage in an addition to their garage. Mr. Finch said that the Code Enforcement Officer has visited the property and Mr. DeLamarter also went down and took pictures of the garbage. The people were supposed be getting a dumpster to get rid of all the garbage in the garage. Mr. Finch said the neighbors are complaining because it really stinks. Said Mr. Finch, “According to our Code, we can only send them a letter and it has to be after 30 days of complaints. So, the neighbors called the Broome County Health Department about the rodents running around. We will see what is going to happen.”

WOODSIDE AVENUE

Mr. Finch said that Mr. Francisco had brought to his attention a concern about two buildings on Woodside Avenue that appear to be in serious condition. One has bowed and the other is falling in. Mr. Finch said Code Enforcement Officer Ron Lake can placard them but, unfortunately, the next step would be to condemn and tear down the buildings at the Town’s expense. Attorney Sacco will look into other options.

Mr. Francisco said there are raccoons and skunks living in the building now. The Board wondered if the Fire Department could use the building for a training exercise and burn it down but Mr. Bullock thought there might be an issue with asbestos.

RESO 2015-77: EXECUTIVE SESSION/PERSONNEL

There being no further business to come before the Board, Mr. Dumian moved to go into Executive Session after a five minute recess to discuss a personnel issue.

Seconded by Mr. Francisco.

VOTE: Bullock—Yes; Boyle—Yes; Dumian—Yes; Francisco-Yes; Finch-Yes. Motion passed unanimously.

An Executive Session of the Town Board of the Town of Conklin was held at the Conklin Town Hall at 7:00 P.M. with Supervisor James E. Finch presiding. Present were Supervisor Jim Finch, Mr. Bullock, Mr. Francisco, Mr. Boyle, Mr. Dumian, and Attorney Cheryl Sacco. Attorney Sacco assumed the duties of secretary of the meeting.

A discussion was held pursuant to Public Officers Law section 100 of the State of New York regarding the medical, financial, credit, or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal, or removal of a particular person or corporation.

RESO 2015-78: RE-OPEN REGULAR TOWN BOARD MEETING

After this discussion, Mr. Bullock moved to close the Executive Session and re-open the Regular Town Board Meeting at 7:07 P.M. with no action taken in Executive Session.

Seconded by Mr. Francisco.

VOTE: Bullock—Yes; Boyle—Yes; Dumian—Yes; Francisco-Yes; Finch-Yes. Motion passed unanimously.

There being no further business to come before the Board, Mr. Finch moved for adjournment, seconded by Mr. Dumian. The meeting adjourned at 7:07 P.M.

Respectfully Submitted,

Elizabeth Einstein, Deputy Town Clerk

